IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 53317-M of 2006

DATE OF DECISION : 16.10.2006

Jarnail Singh

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. H.S. Rakhra, Advocate,
for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

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Petitioner Jarnail Singh has filed this petition under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 263 dated 8.8.2005 under Sections 302, 364, 201, 148, 149 IPC, registered at Police Station Jagraon, District Ludhiana.

2. As per the prosecution version, on 7.8.2005, when deceased Gurdeep Singh did not return to home in the evening after his work, his father (complainant in this case) enquired about his whereabouts and he came to know that his son was wrongly confined by accused Ajaib Singh in his house on the allegation of theft of bracelet and ring. When the complainant approached Ajaib Singh with respectables of the village, he did not give any clue about the whereabouts of Gurdeep Singh. On 8.8.2005, the complainant lodged the aforesaid FIR that his son was abducted by the accused and subsequently, on 9.8.2005, dead body of his son was recovered on the disclosure statement made by Sukhdeep Singh son of accused Ajaib Singh. During the investigation, statement of one Ranjit Singh was recorded, before whom extra judicial confessions were made by all the accused, including the petitioner, wherein he stated that accused Ajaib Singh gave beating to deceased Gurdeep Singh with a wooden handle.

3. Counsel for the petitioner states that no allegation of beating has been levelled against the petitioner, who is in custody since 9.8.2005. He further contends that case of the petitioner is identical to the case of co-accused Randip Singh, who has already been granted regular bail by this Court in Crl. Misc. No. 44989-M of 2006. Counsel for the respondent-State does not dispute this fact.

4. In view of the aforesaid facts, without expressing any opinion on the merits of the case, I deem it appropriate to grant bail to the petitioner. He is, accordingly, ordered to be released on bail subject to his furnishing bail bonds to the satisfaction of the trial court.

October 16, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**